

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIMBERLY HYATT,

Plaintiff,

-v.-

ROSE ASSOCIATES INC.; ROSE
ASSOCIATE CAPITAL GROUP LLC; AMY
ROSE; FRANK BALOGH; KATHY PANARO;
ADAM HEAVEN; and KYLE MALDINER,

Defendants.

23 Civ. 3050 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On May 31, 2023, the Court held a conference with the parties to discuss Defendants' request to file a motion to dismiss. Consistent with the discussion in that conference, the Court directed Plaintiff to file an amended complaint on or before August 4, 2023. That deadline has passed, and there is no record that Plaintiff has filed an amended complaint as ordered.

The Court hereby ORDERS Plaintiff to notify the Court and Defendants as soon as possible should she still wish to file an amended complaint. Absent the above notice, the Court will understand Plaintiff to be proceeding with her original complaint, as filed on April 11, 2023.

In light of this Court's Order, Defendants' deadline to file a letter discussing whether they intend to move to dismiss the amended complaint or file an answer by August 18, 2023 is hereby reset to **August 25, 2023**.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff's address of record.

SO ORDERED.

Dated: August 8, 2023
New York, New York



KATHERINE POLK FAILLA
United States District Judge